

REMARKS

The Office Action mailed November 20, 2003 has been reviewed and carefully considered. Claims 1-6 and 9-16 remain pending in this application, of which the independent claims are 1 and 11. Claims 1 and 11 have been amended. Reconsideration of the above-identified application as amended and in view of the following remarks is respectfully requested.

Claim 1 is objected to for informalities which have now been corrected.

Claims 1 and 9-16 stand rejected under 35 U.S.C. § 103 (a) as allegedly unpatentable over U.S. Patent No. 6,073,010 to Dufour in view of U.S. Patent No. 6,544,253 to Chow et al. ("Chow").

Claim 1 as amended recites: . . .

(a) establishing a call connection between said MS and a BTS (Base Transceiver Station) providing the home zone service, wherein a home zone pertaining to the home zone service is defined by a fixed network in which the MS is further registered for use; . . .

(c)(i) causing said BSC to receive a home zone information of said MS from an MSC (Mobile Switching Center) wherein the home zone information pertains to said home zone and includes a home zone list and a subscriber class of said MS; . . .

Item 3 of the Office Action acknowledges that Dufour fails to disclose or suggest "that the home zone service of the MS is the home zone service of a fixed network." Support for the amendment of claim 1 is found in the specification (e.g., page 2, line 19 to page 3, line 3).

For at least this reason, Dufour fails to anticipate or render obvious claim 1 as amended.

Chow is directed to local cordless service (LCS) (col. 4, line 22) that interfaces to a digital line switch and not to a mobile switching center (col. 5, lines 1-3). Accordingly, Chow fails to disclose or suggest at least step (c)(i).

The applicant further notes that, as item 2 of the Office Action acknowledges, Dufour fails to disclose or suggest step (d)(ii), namely:

“determining whether said MS is registered to be used only in the home zone or not by retrieving the subscriber class when said hand-off targeted BTS does not belong to the home zone.”

Item 2 of the Office Action cites column 7, lines 33-35 and 38-47, of Chow purported to disclose step (d)(ii), and then suggests that the motivation “to modify Dufour to include Chow” would have been “to provide the specific handoff steps of Chow to Dufour in order to more efficiently restrict or allow a potential hand-off.”

The applicant interprets this commentary as suggesting that modifying Dufour in view of Chow would either improve Dufour, or supplement Dufour by supplying steps not mentioned in Dufour.

Problematically, however, the Office Action appears to also be suggesting first and second phrases of step (d)(ii), i.e. the phrases beginning with the word “determining” and “when” respectively, correspond to step 22 of Dufour FIG. 2A and step 33 of Dufour FIG. 2B. In particular, some of the processing paths from step 22 lead to step 33, but not such that Dufour could be described as disclosing step (d)(ii).

For one thing, the flow of processing is backwards – step (d)(ii) could, at best, be characterized as suggesting something akin to a processing flow from step 33 to step 22, whereas Dufour is designed only for flow from step 22 to step 33, even the latter flow being subject to certain other conditions being met. Accordingly, it is unclear how

the Office Action is planning to combine the two references, e.g. is it being proposed that Dufour steps 22 and 33 be replaced by the Chow disclosure to create some kind of awkward design targeted in the hope of supporting a claim rejection? What would have been the motivation? Item 2 cites “more” efficiency, but the applicant can envision for Dufour no efficiency to be derived from what could be no less than an awkward, impractical revision of Dufour.

In any event, since Dufour is directed to a mobile network rather than a fixed network and since Chow utilizes a local digital line switch and not a MSC, it is additionally unclear how any combination would feature steps (a) and (c)(i) of claim 1.

The applicant submits that, for at least all of the above reasons, it would not have been obvious to modify Dufour in view of Chow in a way that meets the limitations of claim 1 as amended.

As to claim 11, it has similarly been amended to recite:

“... a mobile switching center (MSC) for connecting said BSC with one BTS to another BTS or another network, wherein said BTS provides the home zone service and a home zone pertaining to the home zone service is defined by a fixed network in which the MS is further registered for use . . .”

Item 3 of the Office Action apparently cites purported motivation for a different basis of rejection, i.e. Chow in view of Dufour rather than the other way around. Item 3 then says that the Dufour FSA functions as Chow’s home zone. At least Dufour’s FSA, however, cannot properly be characterized as “defined by a fixed network” as explicitly required by the language of claim 11 as amended.

For at least the corresponding reasons as set forth with regard to claim 1, the applicant likewise submits that the proposed Dufour/Chow combination does not render

obvious claim 11.

Claims 9-10 and 12-16 depend from base claims 1 and 11, respectively, and are deemed to be patentable over the two references for at least the same reasons.

Claims 2-6 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Dufour in view of Chow and U.S. Patent No. 6,044,261 to Kazmi.

Claims 2-6 depend from claim 1. Kazmi cannot compensate for the shortcomings of Dufour with respect to the limitations regarding a fixed network nor the limitations regarding the hand-off targeted BTS. For at least these reason, claims 2-6 are deemed to be non-obvious over the applied references.

In view of the preceding remarks, the applicant respectfully submits that the invention as recited in claims 1-6 and 9-16 is neither anticipated nor made obvious by Dufour, Chow or Kazmi alone or in combination. If any unresolved issues remain, the Examiner is invited to call the Applicant's attorney in order that any outstanding issues may be resolved. If there are any fees due and owing, please charge Deposit Account No. 502-470.



Early and favorable reconsideration is respectfully requested.

Respectfully submitted,

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